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December 7, 2000

John Prince  
Central New Jersey Remediation Section  
United States Environmental Protection Agency  
Region 2  
290 Broadway  
New York, NY 10007-1866

Re: Cornell-Dubilier Electronics Superfund Site  
South Plainfield, Middlesex County, New Jersey

Dear John,

We are in receipt of your letter dated November 21, 2000 with respect to the above-referenced Superfund Site. As we explained during the conference call when you conveyed to us the essence of this letter, we are very disappointed that EPA is not willing to permit the Hamilton Industrial Park PRP Group to perform an expedited Remedial Investigation/Feasibility Study ("RI/FS") in accordance with the proposed scope of work dated October 3, 2000 (the "Proposal"). We believe that this scope of work would achieve EPA's RI/FS objectives for the Hamilton Industrial Park Site property under full EPA supervision and approval of deliverables, while, at the same time, assuring that the Superfund Redevelopment Initiative ("SRI") project schedule will be achieved.

EPA's unwillingness to have the PRPs perform the Proposal is disappointing in light of the successful collaboration between EPA and those parties in implementing the residential soil removal actions. The parties respectfully disagree with EPA's decision and are puzzled why EPA would decline to have the PRPs pay for work which EPA must now itself perform and fund. This is especially so given how important timely performance is. While EPA states it is willing to meet the PRPs redevelopment schedule, experience suggests that achievement of that timeline by EPA will be difficult.

Indeed, the history of the present case itself is a poor indicator of future success. Despite EPA's awareness of our collaborative efforts with the community and its stated commitment to send us a copy of the Foster Wheeler RI/FS Workplan, we were only made aware of its existence by officials of South Plainfield, who forwarded a copy of it to us electronically. It then took over two months to get a copy from EPA. Furthermore, with respect to advancing the SRI project itself, we wrote to Muthu Sundram in June, 2000 requesting a meeting to discuss the

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RI/FS/Superfund Redevelopment Initiative issues. Despite several follow-up phone calls over the summer, that meeting did not take place until October 5<sup>th</sup>. And, notwithstanding our collective acknowledgement that time is very much of the essence, it took EPA over six weeks to respond to our proposal. Several of our calls went completely unanswered.

Among the key time-sensitive issues are the following:

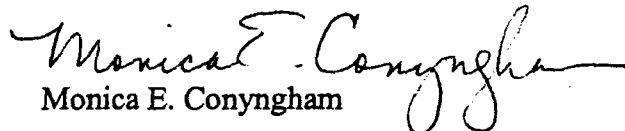
- We have made a commitment to the community to pursue the SRI project in a timely manner based upon our systematic analysis of the local real estate market. This analysis indicates that if we are reliably to capture the market interest for this Site, we will need to have it ready for development (which can include as integral components of the Site work certain elements of the Remedial Action) no later than the Fall of 2002. If we cannot reliably achieve these timeframes, then it is not possible to assure that we can follow through on our commitments to the community. We are unwilling to start down a path which could well end up with a significant disappointment to the community due to delays by the Agency which can reasonably be anticipated, but over which we have no control.
- The same holds true for commitments to prospective developers. In order for the redevelopment to succeed, we need to be in a position to provide developers with concrete timeframes and commitments. Otherwise, they will not be willing to commit their efforts and financial resources to the redevelopment project, since it will lack sufficient "reality".
- To achieve the SRI redevelopment schedule, there would need to be intimate and seamless collaboration between ENVIRON, as our consultant, Pete Mannino, as the RPM, and Foster Wheeler, as the RI/FS consultant. We have faith that Pete Mannino is fully prepared for such a collaborative approach, but it is not at all clear that Foster Wheeler can perform in such a collaborative, coordinated manner and within the necessary timeframe.

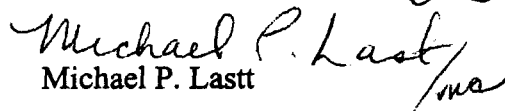
We are being quite frank regarding our reservations, because we do not want to embark upon an approach which will not in the end prove productive and will neither realize the stated goals of the Superfund Redevelopment Initiative nor satisfy the Borough of South Plainfield's legitimate interest in seeing the Hamilton Industrial Park productively reused. That would constitute an embarrassment and failure for all involved. We believe strongly that the SRI Proposal we submitted would avoid these problems.

Given the foregoing, we ask you to reconsider your decision. Nevertheless, both because time is of the essence and because close collaboration with the Agency will be required regardless of the lead entity, we have asked Mark Nielsen of ENVIRON to meet with Pete Mannino and start to work out the more precise details of the collaborative approach, including specific timeframes which will meet the SRI project schedule. As we discussed, "the devil is in the details", and it is, therefore, essential that we examine systemically the details to make sure

that the redevelopment goals can be timely achieved. We believe that these exploratory discussions should be conducted immediately, so that we can confer further within the next two weeks. We do not want the upcoming Holidays to eventuate in further delay. To that end, Mark Nielsen has a meeting scheduled with Pete Mannino for December 12<sup>th</sup> to review Phase I data and discuss the collaborative approach.

Yours sincerely,

  
Monica E. Conyngham

  
Michael P. Lastt

cc: James J. Vokral, Sr.  
Muthu Sundram, Esq.  
Robert Sanoff, Esq.  
Lisa A. Wurster, Esq.

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